

CITY OF SAN BRUNO



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STAFF

Tambri Heyden, AICP, *Community Development Director*
Aaron Aknin, AICP, *Planning Manager*
Mark Sullivan, AICP, *Housing and Redevelopment Manager*
Beilin Yu, *Associate Planner*
Lisa Costa-Sanders, *Contract Planner*
Tony Rozzi, *Community Development Technician*
Pamela Thompson, *City Attorney*

PLANNING COMMISSIONERS

Joe Sammut, *Chair*
Sujendra Mishra, *Vice-Chair*
Mary Lou Johnson
Bob Marshall Jr.
Kevin Chase
Rick Biasotti
Perry Petersen

COMMUNITY DEVELOPMENT DEPARTMENT

PLANNING COMMISSION MINUTES

January 17, 2006
San Bruno Senior Center
1555 Crystal Springs Blvd.
7:00 P.M. to 10:00 P.M.

CALL TO ORDER at 7:00 pm

ROLL CALL

	<u>Present</u>	<u>Absent</u>
Chair Sammut	X	
Vice Chair Mishra	X	
Commissioner Johnson	X	
Commissioner Marshall	X	
Commissioner Chase		X
Commissioner Biasotti	X	
Commissioner Petersen	X	

STAFF PRESENT:

Planning Division: Community Development Director: Tambri Heyden
Planning Manager: Aaron Aknin
Associate Planner: Beilin Yu
Community Dev. Technician: Tony Rozzi
Community Dev. Recording Secretary: Cathy Hidalgo

City Attorney: Pamela Thompson

Pledge of Allegiance: Commissioner Johnson

Chair Sammut offered congratulations to Tony Rozzi on his new position as Assistant Planner and welcomed Cathy Hidalgo to the Community Development Department.

1. Approval of Minutes – December 20, 2005

Motion to Approve Minutes of December 20, 2005 Planning Commission meeting

Johnson/Biasotti

VOTE: 6-0
AYES: All Commissioners Present
NOES:
ABSTAIN:

2. Communication

None at this time.

3. Public Comment

None at this time.

4. Announcement of Conflict of Interest

Vice-Chair Mishra announced conflict of interest regarding Agenda Item #9; 533 San Mateo Avenue, stating it is within a 500-foot radius from his residence.

Commissioner Petersen: Questioned the purpose of having the review of announcement separate from the agenda item.

Planning Manager Akin: Explained it was set up this way so that the public would know at the start of the meeting when the items came up the commissioner could leave and all conflicts would be addressed.

Commissioner Petersen: Request that Conflict of Interest be announced with the agenda items as well, in the event people are not here at the start of the meeting.

Planning Manager Akin: Assured the commissioner that it will be addressed on both areas of the agenda.

5. 524 Elm Avenue

Request for a Use Permit to allow the construction of a first and second story addition which proposes to increase the gross floor area by more than 50%, and to exceed 1,825 square feet of gross floor area while only providing a one car garage per Sections 12.200.030.B.1 and 12.200.080.A.3 of the San Bruno Zoning Ordinance. – Edward Pancoast (Applicant), Jason Herd (Owner) **UP-05-36**

Associate Planner Yu entered staff report.

Chair Sammut asked Commission if there were any questions for staff.

Commissioner Petersen: With other additions of similar size and similar percentage expansions, it is impossible to provide a second garage space, or virtually impractical. In this case, it would be fairly practical to make a tandem space. On Elm, the parking is not plentiful. Wondering if this has been discussed with applicant or designer.

Associate Planner Yu: this was originally discussed with the applicant but the applicant did not want to give up the windows as part of a tandem garage design. This new design helps alleviate the issue of exceeding the 1,825 square foot guideline.

Commissioner Petersen: Requested clarification on how a carport would eliminate the windows.

Planning Manager Akin: Explained that a tandem garage design would not meet building code egress requirements with the opening of windows into such a carport.

Chair Sammut asked the applicant to address the Commission and introduce the project.

Ed Pancoast, architect and applicant, explained that the redesign was based on two ARC meetings. Removing the upstairs bedroom helped reduce the profile, which was done. Regarding the idea of a garage or carport, eliminating the two windows into the kitchen and living room would detract from the light and air of the two spaces, which is highly desirable. Project as designed would give a net gain of just one bedroom, the master bedroom upstairs.

Commissioner Marshall: Questioned the three small windows, asking why the windows downstairs are larger and the designed top floor windows smaller. Overall, would the proposed windows match the rest of the project?

Applicant responded they are appropriate considering how far back they are, 35 feet back from the front of the house. Bathroom windows are traditionally smaller.

Commissioner Johnson: 7.1 page, Section B-B; Is the design intended to be French doors at the back?

Applicant answered in the affirmative.

Public Comment opened.

Public Comment closed.

Motion to approve Use Permit 05-36 subject to Findings of Fact 1-5 and Conditions of Approval 1-12

Johnson/Biasotti

Commissioner Petersen: Where is the point that an argument for more onsite parking should be made? Most applicants have some reason that they should not have to conform to the zoning requirements and this is another one. Understanding the building code egress requirements, couldn't the applicant still design a tandem garage that worked. Part of this is a question directed to the application and part is addressed in general to applications that have parking exceptions of one kind or another because the parking is not getting any more plentiful in this city, but the sizes of the houses are big.

Commissioner Marshall: Responds. Tandem in front of the existing garage would have no net benefit since it would be taking the driveway parking space which is already utilized for parking. If there was a way to put a tandem garage behind it, that would increase the parking. Commissioner Marshall also warned owner to closely review design of small windows in front of home for size since they have grids, which would diminish the amount of glass on the window.

VOTE: 5-1
AYES: Sammut, Mishra, Johnson, Marshall, Biasotti
NOES: Petersen
ABSTAIN:

FINDINGS FOR APPROVAL

1. The project is Categorically Exempt per the California Environmental Quality Act (CEQA) Guidelines Class 1, Section 15301: Minor expansion to an existing facility.
2. The general appearance of the proposed addition is in keeping with the character of the neighborhood and will not be detrimental to the adjacent real property because the design and materials will match the materials found in the immediate neighborhood and the proportions of the house are similar to other houses in the neighborhood.
3. The proposed addition will not unreasonably restrict or interfere with light and air on the property and other properties in the neighborhood, will not hinder or discourage the appropriate development and use of land and buildings in the neighborhood, or impair the value thereof, and is consistent with the design and scale of the neighborhood.
4. The construction of the addition is consistent with the San Bruno General Plan, which designates the property for single-family residential purposes.
5. The off-street parking is adequate for the proposed residence.

CONDITIONS FOR APPROVAL

Community Development Department – (650) 616-7074

1. The applicant shall file a declaration of acceptance of the following conditions by submitting a signed copy of the Summary of Hearing to the Department of Planning and Building within 30 days of Planning Commission approval. Until such time as the Summary is filed, Use Permit 05-36 shall not be valid for any purpose. Use Permit 05-36 shall expire one (1) year from the date of Planning Commission approval unless a building permit has been secured prior to the one (1) year date.
2. The signed copy of the conditions of approval shall be photocopied and included as a full size page in the Building Division set of drawings.
3. The request for a Use Permit for an addition shall be built according to plans approved by the Planning Commission on January 17, 2006, labeled Exhibit B except as required to be modified by these Conditions of Approval. Any modification to the approved plans shall require prior approval by the Community Development Director.
4. The applicant shall obtain a City of San Bruno building permit before construction can proceed. The operation of any equipment or performance of any outside construction related to this project shall not exceed a noise level of 85 decibels (as measured at 100 feet) during the hours of 7:00 a.m. to 10:00 p.m. or exceed 60 decibels (as measured at 100 feet) from 10:00 p.m. to 7:00 a.m.
5. Prior to Final Inspection, all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the City of San Bruno.
6. The residence shall be used only as a single-family residential dwelling unit. No portion of the residence shall be rented out as a secondary residential dwelling unit.
7. The garage shall be used for the storage of motor vehicles and shall not be used as habitable living space as defined in the Uniform Building Code. Failure to conform to this condition is grounds for code enforcement action, which may result in substantial code compliance costs to bring the garage back into conformance.

Department of Public Works – (650) 616-7065

8. The applicant must obtain an encroachment permit through the Public Works Department prior to issuance of the Building Permit.
9. Storm water from new and existing roof downspouts and other on-site drainage shall be collected and drained to an underground storm water drainage system or

through a curb drain to the gutter. Drain to landscape or bubble-up 2'-0" behind sidewalk allowed.

10. No fence, retaining wall or other permanent structure shall be placed within 2'-0" from back of the sidewalk.
11. Paint address number on face of curb near driveway approach. Black lettering on white background.
12. Planting of one (1) 36-inch box size tree or payment of equal value to tree fund for tree(s) and installation.

Chair Sammut advised of a 10-day appeal period.

6. 172 Diamond Street

Request for a Use Permit to allow the construction of an addition to an existing residence, which proposes to increase the Gross Floor Area by more than 50%, a Minor Modification approval to continue an existing 3'-3" side yard setback and a Parking Exception to allow tandem garage parking per Sections 12.200.030.B.1, 12.120.010.B and 12.200.080.C of the San Bruno Zoning Ordinance. Andrea Costanzo (Applicant); Jesus Gonzales (Owner). **UP-05-66; MM-05-20; PE-05-10**

Associate Planner Yu entered staff report.

Chair Sammut asked Commission if there were any questions for staff.

Chair Sammut asked applicant to introduce project

Andrea Costanzo, designer and applicant, proposed to add bedrooms upstairs and one downstairs, along with a family room. Because they are proposing an increase in square feet, they have also designed a two-car, tandem-garage. The existing garage dimensions were less than required so the proposal will move the wall to conform to code.

Commissioner Johnson: The design is good and she made a site visit. Would the sheds be removed?

Applicant stated that they will remove the shed if needed.

Commissioner Johnson asked for clarification.

Planning Manager Akin responded that it depended on their lot size and lot coverage ratio whether they would need to remove the existing shed.

Public Comment opened.

Public Comment closed.

Chair Sammut brought discussion back to the Planning Commission.

Motion to approve Use Permit 05-66, Minor Modification 05-20 and Parking Exception 05-10 subject to Findings of Fact 1-7 and Conditions of Approval 1-17.

Johnson/Marshall

Commissioner Petersen: Asked for clarification on number of conditions.

Motion to approve Use Permit 05-66, Minor Modification 05-20 and Parking Exception 05-10 subject to Findings of Fact 1-7 and Conditions of Approval 1-11.

Chair Sammut: Motion has been amended

VOTE: 6-0
AYES: All Commissioners Present
NOES:
ABSTAIN:

FINDINGS FOR APPROVAL

1. The project is Categorically Exempt per the California Environmental Quality Act (CEQA) Guidelines Class 1, Section 15301: Minor expansion to an existing facility.
2. The general appearance of the proposed addition is in keeping with the character of the neighborhood and will not be detrimental to the adjacent real property because the design and materials will match the materials found in the immediate neighborhood and the proportions of the house are similar to other houses in the neighborhood.
3. The proposed addition will not unreasonably restrict or interfere with light and air on the property and other properties in the neighborhood, will not hinder or discourage the appropriate development and use of land and buildings in the neighborhood, or impair the value thereof, and is consistent with the design and scale of the neighborhood.
4. The construction of the addition is consistent with the San Bruno General Plan, which designates the property for single-family residential purposes.
5. The granting of the Minor Modification will not be detrimental to adjacent property since only the first story of the proposed structure will encroach into the required side yard setback.
6. The granting of the Minor Modification will result in a structure that is in keeping with the general appearance of the neighborhood since from the street of access,

the garage will be located only 9" closer to the street of access, and substandard setbacks such as the one proposed is found in the immediate neighborhood.

7. The off-street parking is adequate for the proposed residence.

CONDITIONS FOR APPROVAL

Community Development Department – (650) 616-7074

1. The applicant shall file a declaration of acceptance of the following conditions by submitting a signed copy of the Summary of Hearing to the Department of Planning and Building within 30 days of Planning Commission approval. Until such time as the Summary is filed, Use Permit 05-66, Minor Modification 05-20 and Parking Exception 05-10 shall not be valid for any purpose. Use Permit 05-69, Minor Modification 05-20 and Parking Exception 05-11 shall expire one (1) year from the date of Planning Commission approval unless a building permit has been secured prior to the one (1) year date.
2. The signed copy of the conditions of approval shall be photocopied and included as a full size page in the Building Division set of drawings.
3. The request for a Use Permit, Minor Modification and Parking Exception for an addition shall be built according to plans approved by the Planning Commission on January 17, 2006, labeled Exhibit B except as required to be modified by these Conditions of Approval. Any modification to the approved plans shall require prior approval by the Community Development Director.
4. The applicant shall obtain a City of San Bruno building permit before construction can proceed. The operation of any equipment or performance of any outside construction related to this project shall not exceed a noise level of 85 decibels (as measured at 100 feet) during the hours of 7:00 a.m. to 10:00 p.m. or exceed 60 decibels (as measured at 100 feet) from 10:00 p.m. to 7:00 a.m.
5. Prior to Final Inspection, all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the City of San Bruno.
6. The residence shall be used only as a single-family residential dwelling unit. No portion of the residence shall be rented out as a secondary residential dwelling unit.
7. The garage shall be used for the storage of motor vehicles and shall not be used as habitable living space as defined in the Uniform Building Code. Failure to conform to this condition is grounds for code enforcement action, which may result in substantial code compliance costs to bring the garage back into conformance.

Department of Public Works – (650) 616-7065

8. The applicant must obtain an encroachment permit through the Public Works Department prior to issuance of the Building Permit.
9. Storm water from new and existing roof downspouts and other on-site drainage shall be collected and drained to an underground storm water drainage system or through a curb drain to the gutter.
10. No fence, retaining wall or other permanent structure shall be placed within 2'-0" from back of the sidewalk.
11. During the Building/Planning Review or site visit, it was noticed that you have a fence behind the sidewalk built within the City public right-of-way. In accordance with San Bruno City Code Section 8.08.010 and or Section 5.04.070, this structure is prohibited. You are not required to remove it at this time, you need to be aware that it may be located over top of a public utility. If an emergency does arise that requires City or approved contractor crews to access this utility, the City and or contractor, will not be responsible for any cost associated with the removal or repair of the structure.

Chair Sammut advised of a 10-day appeal period.

7. 548 Cypress Avenue

Request for a Use Permit to allow the construction of a first and second story, which proposes to increase the Gross Floor Area by more than 50%, and a Parking Exception to allow tandem garage parking per Sections 12.200.030.B.1 and 12.200.080.C of the San Bruno Zoning Ordinance. AZ Design and Engineering, Inc. (Applicant); Erick Calvo-Perez (Owner). **UP-05-69; PE-05-11**

Associate Planner Yu entered staff report.

Chair Sammut asked Commission if there were any questions for staff.

Chair Sammut asked the applicant to address the Commission and introduce the project.

Applicant: Erick Calvo, owner, wants to enlarge the house, adding a second floor with 2 bathrooms and 2 bedrooms upstairs.

Public Comment opened.

Rhonda Simms, 551 Acacia, directly behind applicant's property, understands the height will impede the current view line. Neighbor is concerned that some growth on the property will restrict their view. Hoping to compromise with applicant, maybe remove a tree that is currently taking up 65% of their view.

Commissioner Johnson: Clarification of location.

Rhonda Simms indicated her house on the left, currently under construction. All properties are split level homes.

Commissioner Peterson: Clarification on type of tree.

Rhonda Simms unsure, identified some bush, tree is very tall, splitting the division between the owners north and south side of his property.

Commissioner Peterson: Questioned if she has spoken to the owner.

Rhonda Simms replied she has not spoken to owner. She wanted to address the issue that she is losing some of her view, however, it was not an issue until the tree started to grow over.

Commissioner Petersen: There is not a view ordinance in San Bruno. Neighbors are encouraged to talk to each other, so setting a precedent can be avoided.

Rhonda Simms: Agreed to take the opportunity to discuss with owner.

Commission Johson: Comment. Sometimes a tree makes a better view than what you see down below. However with growth you face the same situation every 5 – 7 years and it never is a one-time fix.

Public Comment closed.

Chair Sammut brought discussion back to the Planning Commission.

Motion to approve Use Permit 05-69 and Parking Exception 05-11 subject to Findings of Fact 1-5 and Conditions of Approval 1-13

Mishra/Biasotti

VOTE: 6-0
AYES: All Commissioners Present
NOES:
ABSTAIN:

FINDINGS FOR APPROVAL

1. The project is Categorically Exempt per the California Environmental Quality Act (CEQA) Guidelines Class 1, Section 15301: Minor expansion to an existing facility.
2. The general appearance of the proposed addition is in keeping with the character of the neighborhood and will not be detrimental to the adjacent real property

because the design and materials will match the materials found in the immediate neighborhood and the proportions of the house are similar to other houses in the neighborhood.

3. The proposed addition will not unreasonably restrict or interfere with light and air on the property and other properties in the neighborhood, will not hinder or discourage the appropriate development and use of land and buildings in the neighborhood, or impair the value thereof, and is consistent with the design and scale of the neighborhood.
4. The construction of the addition is consistent with the San Bruno General Plan, which designates the property for single-family residential purposes.
5. The off-street parking is adequate for the proposed residence.

CONDITIONS FOR APPROVAL

Community Development Department – (650) 616-7074

1. The applicant shall file a declaration of acceptance of the following conditions by submitting a signed copy of the Summary of Hearing to the Department of Planning and Building within 30 days of Planning Commission approval. Until such time as the Summary is filed, Use Permit 05-36 and Parking Exception 05-11 shall not be valid for any purpose. Use Permit 05-69 and Parking Exception 05-11 shall expire one (1) year from the date of Planning Commission approval unless a building permit has been secured prior to the one (1) year date.
2. The signed copy of the conditions of approval shall be photocopied and included as a full size page in the Building Division set of drawings.
3. The request for a Use Permit for an addition shall be built according to plans approved by the Planning Commission on January 17, 2006, labeled Exhibit B except as required to be modified by these Conditions of Approval. Any modification to the approved plans shall require prior approval by the Community Development Director.
4. The applicant shall obtain a City of San Bruno building permit before construction can proceed. The operation of any equipment or performance of any outside construction related to this project shall not exceed a noise level of 85 decibels (as measured at 100 feet) during the hours of 7:00 a.m. to 10:00 p.m. or exceed 60 decibels (as measured at 100 feet) from 10:00 p.m. to 7:00 a.m.
5. Prior to Final Inspection, all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the City of San Bruno.
6. The residence shall be used only as a single-family residential dwelling unit. No portion of the residence shall be rented out as a secondary residential dwelling unit.

7. The garage shall be used for the storage of motor vehicles and shall not be used as habitable living space as defined in the Uniform Building Code. Failure to conform to this condition is grounds for code enforcement action, which may result in substantial code compliance costs to bring the garage back into conformance.

Department of Public Works – (650) 616-7065

8. The applicant must obtain an encroachment permit through the Public Works Department prior to issuance of the Building Permit.
9. A sanitary sewer lateral clean-out shall be installed at property line, per City standards detail SS-01.
10. Storm water from new and existing roof downspouts and other on-site drainage shall be collected and drained to an underground storm water drainage system or through a curb drain to the gutter. Drain to landscape or bubble-up 2'-0" behind sidewalk allowed.
11. No fence, retaining wall or other permanent structure shall be placed within 2'-0" from back of the sidewalk.
12. Paint address number on face of curb near driveway approach. Black lettering on white background.
13. Planting of one (1) 36-inch box size tree or payment of equal value to tree fund for tree(s) and installation.

Chair Sammut advised of a 10-day appeal period.

8. 527 Linden Avenue

Request for a Use Permit to allow the construction of an addition to an existing residence which proposes to exceed the .55 Floor Area Ratio (FAR) guideline per section 12.200.030.B.2 of the San Bruno Zoning Ordinance. Mark Schiller (Owner/Applicant). **UP-05-70**

Planning Manager Aknin entered staff report.

Chair Sammut asked Commission if there were any questions for staff.

Chair Sammut asked the applicant to address the Commission and introduce the project.

Not present.

Public Comment opened.

Public Comment closed.

Chair Sammut brought discussion back to the Planning Commission.

Commissioner Johnson – She visited the property and it didn't seem out of range.

Commissioner Petersen – on ARC committee, recalls a large part of this permit was bringing the building under permit with a relatively small addition. Thought it had architectural merit and is pleased to make the motion for approval.

Motion to approve Use Permit 05-70 subject to Findings of Fact 1-5 and Conditions of Approval 1-11.

Petersen/Johnson

VOTE: 6-0
AYES: All Commissioners Present
NOES:
ABSTAIN:

FINDINGS FOR APPROVAL

1. The project is Categorically Exempt per the California Environmental Quality Act (CEQA) Guidelines Class 1, Section 15301: Minor expansion to an existing facility.
2. The general appearance of the proposed addition is in keeping with the character of the neighborhood and will not be detrimental to the adjacent real property because the design and materials will match the materials found in the immediate neighborhood and the proportions of the house are similar to other houses in the neighborhood.
3. The proposed addition will not unreasonably restrict or interfere with light and air on the property and other properties in the neighborhood, will not hinder or discourage the appropriate development and use of land and buildings in the neighborhood, or impair the value thereof, and is consistent with the design and scale of the neighborhood.
4. The construction of the addition is consistent with the San Bruno General Plan, which designates the property for single-family residential purposes.
5. The off-street parking is adequate for the proposed residence.

CONDITIONS FOR APPROVAL

Community Development Department – (650) 616-7074

1. The applicant shall file a declaration of acceptance of the following conditions by submitting a signed copy of the Summary of Hearing to the Department of Planning and Building within 30 days of Planning Commission approval. Until such time as the Summary is filed, Use Permit 05-70 shall not be valid for any purpose. Use Permit 05-70 shall expire one (1) year from the date of Planning Commission approval unless a building permit has been secured prior to the one (1) year date.
2. The signed copy of the conditions of approval shall be photocopied and included as a full size page in the Building Division set of drawings.
3. The request for a Use Permit for an addition shall be built according to plans approved by the Planning Commission on January 17, 2006, labeled Exhibit B except as required to be modified by these Conditions of Approval. Any modification to the approved plans shall require prior approval by the Community Development Director.
4. The applicant shall obtain a City of San Bruno building permit before construction can proceed. The operation of any equipment or performance of any outside construction related to this project shall not exceed a noise level of 85 decibels (as measured at 100 feet) during the hours of 7:00 a.m. to 10:00 p.m. or exceed 60 decibels (as measured at 100 feet) from 10:00 p.m. to 7:00 a.m.
5. Prior to Final Inspection, all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the City of San Bruno.
6. The residence shall be used only as a single-family residential dwelling unit. No portion of the residence shall be rented out as a secondary residential dwelling unit.
7. The garage shall be used for the storage of motor vehicles and shall not be used as habitable living space as defined in the Uniform Building Code. Failure to conform to this condition is grounds for code enforcement action, which may result in substantial code compliance costs to bring the garage back into conformance.

Department of Public Works – (650) 616-7065

8. The applicant must obtain an encroachment permit through the Public Works Department prior to issuance of the Building Permit.
9. A sanitary sewer lateral clean-out shall be installed at property line, per City standards detail SS-01.
10. Storm water from new and existing roof downspouts and other on-site drainage shall be collected and drained to an underground storm water drainage system or through a curb drain to the gutter.

11. Paint address number on face of curb near driveway approach. Black lettering on white background.

Chair Sammut advised of a 10-day appeal period.

9. 533 San Mateo

Request for a Use Permit and Parking Exception for a Martial Arts studio in the Central Business District (C-B-D) per Chapters 12.96.120.C and 12.100 of the San Bruno Zoning Ordinance. Nathan Snukst (Applicant); Wilbur Properties (Owner). **UP-05-75; PE-05-12**

Vice Chair Mishra recused himself.

Community Development Technician Rozzi entered staff report.

Chair Sammut asked Commission if there were any questions for staff.

Commissioner Marshall: clarification of size.

CDT Rozzi: Building itself is 3600 sq. ft. Downstairs will occupy 2100 sq. ft.

Commissioner Biasotti: Questioned what the current code issues on building are.

CDT Rozzi: Initially it was storage, a prohibited use. Additionally, there was electrical work done without a permit and a bathroom that was not ADA compliant. Steps have been taken to make those changes, but have not had a final inspection. Staff has requested, as part of the conditions of approval, that a Code Enforcement Inspector take a look at the building in its current condition.

Commissioner Petersen: Typically in the findings if the staff report there is a reference to the advertisement in the local paper.

CDT Rozzi: Mistakenly not included in this staff report.

CDD Director Hayden: This was the result of some comments made to staff that the staff report address the findings that are required, according to state and local law. Advertising alone doesn't justify the findings, but the legal noticing was listed at the beginning of the staff report.

Chair Sammut: Is there any business that can go into a downtown space that wouldn't require parking exception?

CDT Rozzi: Retail or grocery that already fits the existing approval for a parking exception of 8 spaces, based on the square footage, would be an approved use. A Martial Arts Studio is a recreational facility that requires additional parking.

Chair Sammut asked the applicant to address the Commission and introduce the project.

Applicant, Elizabeth Snukst. Stated that herself and her husband, Nathan Snukst, are the applicants for the conditional use permit. They are opening a Ju-Jitsu academy, a form of martial arts, different than Karate or Judo, that is currently on the strip they are on. The academy will focus more on the ground, self defense tactics. Different niche as far as martial arts go. Established in 1999 in San Francisco. Their student base has grown, moved to San Bruno and found this space would fit the needs of the academy.

Chair Sammut: Questioned how many students attend presently.

Applicant: Responded that currently 30-40 students have come from the existing academy and they anticipate growth with the storefront's visibility.

Commissioner Petersen: Questioned if applicant is planning more classes for more students during open hours.

Applicant: It is possible for them to expand if they do add 300 or so students, allowing for a class size of 25. Right now, because of the way the schedule is, students can attend one class per week, or 4 classes per week.

Public Comment opened.

Public Comment closed.

Chair Sammut brought discussion back to the Planning Commission.

Motion to approve Use Permit 05-75 and Parking Exception 05-12 subject to Findings of Fact 1-6 and Conditions of Approval 1-12, with the amendment to the schedule that classes can be added between 4pm and 7:30 pm.

Discussion:

Commissioner Johnson: Comment to Commissioner Petersen regarding adding classes to the afternoon. There is opportunity to add classes in the morning to afternoon hours. Although it is indicated by the applicant that as student enrollment increases, hours during the week will expand, they are accepting that as a part of the application. Do we need to add the actual hours, or will it suffice as written on the application?

Planning Manager Akin: Clarified that additional guidelines for hours of operation do not need to be added. In general it is a class schedule from staff's point of view. We wouldn't have them stick to it if it says expansion can occur and that would be implied with your approval.

Motion to approve Use Permit 05-75 and Parking Exception 05-12 subject to Findings of Fact 1-6 and Conditions of Approval 1-11.

Petersen/Johnson

VOTE: 5-0
AYES: All Commissioners Present
NOES:
ABSTAIN:

FINDINGS FOR APPROVAL

Conditional Use Permit UP 05-75

1. The project is Categorically Exempt per the California Environmental Quality Act (CEQA) Guidelines Class 1, Section 15301: Minor alteration to an existing facility.
2. The proposal is consistent with the San Bruno General Plan, which designates the property for commercial purposes. The proposal is also consistent with the San Bruno Redevelopment Plan and the Downtown Design Guidelines dated February 1987.
3. The general appearance of the property is in keeping with the character of the neighborhood and will not be detrimental to adjacent property and improvement in the neighborhood or to the general welfare of the city given the proposed building alterations and its compatibility with local uses.
4. The activity or use is not expected to jeopardize, endanger or result in adverse effects to the health, peace or safety of persons residing or working in the surrounding area because it is a use that is not typically associated with criminal activities, disturbance of the peace, illegal drug activity, public drunkenness, drinking in public, harassment of passersby, gambling, prostitution, sale of stolen goods, public urination, theft, assaults, batteries, acts of vandalism, excessive littering, loitering, graffiti, illegal parking, excessive loud noises, especially in the late night or early morning hours, traffic violations, curfew violations, lewd conduct, or police detentions and arrests.

Parking Exception PE 05-12

5. The strict application of the provisions of Chapter 12.100 would cause particular difficulty or undue hardship in connection with the use and enjoyment of said property considering the proposed use will not be overly demanding of parking since class sizes are small and the main hours of operation will be 3:30 to 9:30 PM, Monday through Friday, when several businesses are closed or less intensive in use.
6. The establishment, maintenance and/or conducting of the off-street parking facilities as proposed are as nearly in compliance with the requirements set forth in this chapter as are reasonably possible because the current property, like most parcels in the Central Business District, has 100% lot coverage and must rely on public-parking lots and on-street parking to satisfy patron parking demand.

CONDITIONS FOR APPROVAL

Community Development Department – (650) 616-7074

1. The applicant shall file a declaration of acceptance of the following conditions by submitting a signed copy of the Summary of Hearing to the Department of Planning and Building within 30 days of Planning Commission approval. Until such time as the Summary is filed, Use Permit 05-75 and Parking Exception 05-12 shall not be valid for any purpose. Use Permit 05-75 and Parking Exception 05-12 shall expire one (1) year from the date of Planning Commission approval unless a building permit has been secured prior to the one (1) year date.
2. The applicant shall obtain a City of San Bruno Business Compliance inspection permit before the facility can operate. This inspection will verify that the existing code enforcement case has resolved all health and safety requirements and that the building is suitable for occupation per California Building and Fire Codes.
3. The applicant shall obtain a City of San Bruno sign permit for the any new signage on site. All signs shall be reviewed and approved by the Planning Department in accordance with the Sign Regulations of the San Bruno Zoning Ordinance and Downtown Design Guidelines.
4. All activities of the martial arts facility at 533 San Mateo Avenue shall remain indoors and all patrons of the facility shall remain in the provided indoor waiting area.
5. The applicant and any successor in interest, shall agree to operate the martial arts facility at 533 San Mateo Avenue in the manner as described in the staff report and in the applicant's support statement. Any deviation or change in business activities shall require prior authorization by the Community Development Director and may require full Planning Commission review. Failure to comply with these requirements may result in the City of San Bruno instituting revocation hearings.
6. The permitted hours of operation of the facility shall be seven days between the hours of 7 AM and 10 PM. Any changes to these hours of operation shall require prior authorization from the Community Development Director.

Public Works Department – (650) 616-7065

None.

Fire Department – (650) 616-7096

7. Provide minimum 8" address numbers to front of building, above front door and above all glass.

8. Provide 1 fire extinguisher, minimum 2A 10 BC extinguisher per 3000 square feet of floor space and every 75 square feet of travel. Hang and label with sign.
9. Indicate separate storage area from student waiting area.
10. Provide occupancy type/load
11. Provide a second exit that exits to a public way if occupancy load more than 50 people

Chair Sammut advised of a 10-day appeal period.

Vice Chair Mishra returned to the meeting.

10. City Staff Discussion

Planning Manager Akin requested volunteers for Architectural Review Committee, announced an additional 2nd ARC meeting in January, and 2 Planning Commission Meetings in February. This is due to an Increase of applications in November and December. Next meeting January 26, 2006

Misha, Sammut and Biasotti volunteered for attendance.

Planning Manager Akin: Appointment of Chair and Vice Chair.

First would like to thank Chair Sammut for his year, did a good job up there. He did well regulating the meetings.

Historically, what has happened is the Vice Chair gets nominated as chair and the Vice Chair is someone who has not served as either before.

Commissioner Petersen: Nominated Sujendra Mishra as Chair. Commissioner Johnson seconded the nomination.

Petersen/Johnson

VOTE: 6-0
AYES: All Commissioners Present
NOES:
ABSTAIN:

Chair Sammut: Asked for nominations for Vice Chair.

Vice Chair Mishra nominated Commissioner Biasotti with Commissioner Marshall seconding the nomination.

Mishra/Marshall

VOTE: 6-0
AYES: All Commissioners Present
NOES:
ABSTAIN:

11. Planning Commission Discussion

Commissioner Johnson: Commented on the Clock right in front of Citibank and would like to acknowledge the Rotary Club for the beautiful job of putting this project together. There were several people spearheading this, but the primary person is Frank Hedley. Phenomenal outcome and we had a great turnout, there was a lot of people out there and also the other acknowledgement is that we didn't have any problems finding parking. If you haven't had an opportunity to look at that clock its worth going by and if you go at nighttime it illuminates wonderfully. Thank you to the Rotary Club. Its an honor to have that in our city and it will be many years enjoyed by so many.

Chair Sammut: It was a great year. I think we did a lot of stuff and had a pretty good time doing it. The commission did a wonderful job this year with a lot of meetings and a lot of ARC reviews and they pushed a lot of stuff through. Thanked the commission, the staff for a job well done in 2005 and wished Commissioner Mishra luck for 2006.

12. Adjournment

Tambri Heyden

Interim Secretary to the Planning
Commission
City of San Bruno

Joe Sammut, Chair

Planning Commission
City of San Bruno

NEXT MEETING: February 7, 2006

TH/ch

Meeting was adjourned at 7:58 pm